

DEC 16 2005

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROBERT WEAVER, And Others
Similarly Situated,

Plaintiff - Appellant,

v.

CITY AND COUNTY OF SAN
FRANCISCO, A Municipal Corporation,

Defendant - Appellee.

No. 04-15597

D.C. No. CV-03-01589-SI

ORDER *

Appeal from the United States District Court
for the Northern District of California
Susan Yvonne Illston, District Judge, Presiding

Argued and Submitted December 9, 2005
San Francisco, California

Before: TROTT, T.G. NELSON, and PAEZ, Circuit Judges.

This case is REVERSED and REMANDED for reconsideration in light of
Cleveland v. City of Los Angeles, 420 F.3d 981 (9th Cir. 2005).

IT IS SO ORDERED.

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.